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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,172	08/01/2003	Wilhelm Hagg	450117-04694	4591
22850	7590	09/07/2006	EXAMINER	
C. IRVIN MCCLELLAND OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			PATEL, NIMESH G	
		ART UNIT	PAPER NUMBER	
			2112	

DATE MAILED: 09/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/633,172	HAGG ET AL.
	Examiner	Art Unit
	Nimesh G. Patel	2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 19 June 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-13 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 01 August 2003 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Election/Restrictions

1. The requirement for restriction from previous office action is being withdrawn.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Regarding claim 1, "a bus system" is claimed and then "at least one bus system" is claimed. This makes the claim confusing because it is unclear which bus system is being referred to in the rest of the claims. Similarly, "a dumb gateway" is claimed and then "at least one dumb gateway" is claimed. This makes the claim confusing because it is unclear which dumb gateway is being referred to in the rest of the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-13 rejected under 35 U.S.C. 102(e) as being anticipated by Rudland et al.(US6,925,518), hereinafter referred to as Rudland.

7. Regarding claim 1, Rudland discloses a dumb gateway device(Figure 3, 107) for connecting a respective bus system(Figure 3, 100) with a common network layer(Figure 3, 105) that is designed to build a superior network by connecting at least one bus system(Figure 3, 110) via at least one gateway device(Figure 3, 113) to said common network layer, said gateway device comprising a bus service interface to access all functionality and commands of a further bus system via said common network layer from an intelligent gateway(Figure 3, 108, 112) within said superior network(Column 6, Lines 48-58).

8. Regarding claim 2, Rudland discloses a gateway device, characterized in that said bus service interface is able to post bus events on said common network layer in case a device within said respective bus system indicates the possibility to communicate via said common network layer(Column 6, Lines 48-58).

9. Regarding claim 3, Rudland discloses a gateway device, characterized in that said bus service interface is usable by a device presenter to communicate with the corresponding real device connected to said respective bus system(Column 6, Lines 48-58).

10. Regarding claim 4, Rudland discloses a gateway device, characterized in that said bus service interface is able to represent a virtual device to its respective bus system based on a corresponding device emulator(Column 6, Lines 48-58).

11. Regarding claim 5, Rudland discloses a gateway device, characterized in that said bus service interface communicates via said common network layer (300) according to the Universal Plug and Play protocol set(Column 7, Lines 28-32).

12. Regarding claim 6, Rudland discloses a gateway device, characterized by an intelligent gateway(Figure 3, 108,112) for communicating between gateway devices, which respectively

connect a respective bus system, which comprises at least one physical device(Figure 3, 120), with a common network layer, comprising a static or dynamic possibility to provide at least one device presenter and/or at least one device emulator of at least one physical device to said common network layer(Column 6, Lines 48-58).

13. Regarding claim 7, Rudland discloses an intelligent gateway(Figure 3, 108,112) for communicating between gateway devices(Figure 3, 107; 113), which respectively connect a respective bus system(Figure 3, 100; 110), which comprises at least one physical device(Figure 3, 120; 140), with a common network layer(Figure 3, 105), comprising a static or dynamic possibility to provide at least one device presenter and/or at least one device emulator of at least one physical device to said common network layer(Column 6, Lines 48-58).

14. Regarding claim 8, Rudland discloses an intelligent gateway, characterized by a device manager that monitors bus events for new devices, which are posted on said common network layer (300), and finds, loads and assigns corresponding device presenters and/or emulators(Column 7, Lines 28-32).

15. Regarding claim 9, Rudland discloses an intelligent gateway, characterized in that said device manager loads device presenters and/or emulators from external sources(Column 7, Lines 28-32).

16. Regarding claim 10, Rudland discloses an intelligent gateway, characterized in that a device presenter presents a real device on a bus system as a generic abstract device or service(Column 6, Lines 48-58).

17. Regarding claim 11, Rudland discloses an intelligent gateway, characterized in that a device emulator emulates a device on a bus system based on a generic abstract device or service presentation(Column 6, Lines 48-58).

18. Regarding claim 12, Rudland discloses an intelligent gateway, characterized in that said generic abstract device or service presentation is a presentation according to the Universal Plug and Play protocol set(Column 7, Lines 28-32).

19. Regarding claim 13, Rudland discloses a superior network that integrates at least two bus systems, each of which comprises a respective gateway device according to one of claim 1, comprising at least one intelligent gateway(Figure 3, 108,112) for communicating between gateway devices, which respectively connect a respective bus system, which comprises at least one physical device(Figure 3, 120), with a common network layer, comprising a static or dynamic possibility to provide at least one device presenter and/or at least one device emulator of at least one physical device to said common network layer, and a common network layer to which the respective gateways and said at least one intelligent gateway are connected(Column 6, Lines 48-58).

Response to Arguments

20. Applicant's arguments filed February 6, 2006 have been fully considered but they are not persuasive.

21. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., only the intelligent gateway hosts proxies in both directions as well as for different bus systems) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

22. In response to applicant's argument that references fail to show certain limitations, Examiner respectfully disagrees. Rudland discloses all the limitations of claims 1-13, as explained above.

Conclusion

23. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nimesh G. Patel whose telephone number is 571-272-3640. The examiner can normally be reached on M-F, 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rehana Perveen can be reached on 571-272-3676. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nimesh G Patel
Examiner
Art Unit 2112

NP
September 5, 2006



REHANA PERVEEN
SUPERVISORY PATENT EXAMINER
9/5/06